

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

KENNETH ADERHOLT et al.,

Plaintiffs,

v.

Civ. No. 7:15-CV-000162-O

BUREAU OF LAND MANAGEMENT
et al.,

Defendants.

DEFENDANTS' MOTION FOR DISMISSAL OF TEXAS'S AMENDED COMPLAINT

Defendants Bureau of Land Management (“BLM”); Neil Kornze, Director, BLM; United States Department of the Interior; S.M.R. Jewell, Secretary of the Interior; and United States of America (“Defendants”), move this Court under Rules 12(b)(1), 12(b)(6), 12(b)(7) of the Federal Rules of Civil Procedure to dismiss the Amended Complaint (ECF No. 70) of Intervenor, Texas, for lack of subject matter jurisdiction, failure to state a claim upon which relief can be granted, and failure to join an indispensable party. For the reasons stated in Defendants’ Brief in Support of Their Motion to Dismiss, filed herewith in accordance with Local Rules 7.1 and 7.2, Defendants respectfully request that the Court grant Defendants’ Motion to Dismiss and dismiss Texas’s Amended Complaint.

Respectfully submitted this 27th day of May, 2016,

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CERTIFICATE OF SERVICE

I, Jason A. Hill, hereby certify that on May 27, 2016, I caused the foregoing to be served upon the following counsel of record through the Court's electronic service system:

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s/ Jason A. Hill
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